



02-12-07

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: PATELL
Serial No.: 10/552,887
Filed: October 15, 2005
Title: RICE CONFERRING RESISTANCE TO ENVIRONMENTAL STRESS BY TARGETING MnSOD TO THE CHLOROPLAST

Examiner: Unknown
Group Art Unit: Unknown
Docket: 20049.0001USWO

CERTIFICATE UNDER 37 CFR 1.10

Express Mail mailing label number: EV 802673050 US
Date of Deposit: February 9, 2007

I hereby certify that the papers listed below are being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR 1.10 in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By

Name: TRACY KIMMEL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ Supplemental Information Disclosure Statement, Form 1449, 5 reference(s).
- ☒ Other: International Search Report dated July 28, 2003.
- ☒ Return postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-3478. A duplicate of this sheet is enclosed.

Hamre, Schumann, Mueller & Larson, P.C.
P.O. Box 2902 Minneapolis, MN 55402
612.455-3800

By:

Name: Douglas P. Mueller
Reg. No. 30,300
Initials: DPM:rkW

52835

PATENT TRADEMARK OFFICE



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By:

Name: TRACY KIMMEL

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Copies of any foreign patent documents or "Other Documents" are enclosed. Please note that some of the references on the Form 1449 were cited in an International Search Report dated July 28, 2003. A copy is enclosed.

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the Filing Date, before the mailing date of a First Office Action on the merits, or before the mailing date of a First Office Action on the merits after the filing of a request for continued examination under 37 C.F.R. §1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and

- ☐ the requisite Statement is below, OR
- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein, or
- ☐ (3) after the mailing date of a Final Rejection or Notice of Allowance but on or before the payment of the Issue Fee, AND
- ☐ the requisite Statement is below, AND
- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein.

STATEMENT

As required under §1.97(e), Applicants hereby state either that:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.
- ☐ If this box is checked, Applicant provides the following:

Certification Under 37 C.F.R. §1.704(d)

In accordance with 37 C.F.R. §1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

- ☐ The Examiner is hereby advised of the following co-pending U.S. applications. A copy of each U.S. patent application publication (if published) or application (if not published) is enclosed.

Application No.

Filing Date

Group

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §1.98(a)(3)):

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or

otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

FEE AUTHORIZATION

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 50-3478. Any overpayments should be credited to said Deposit Account.

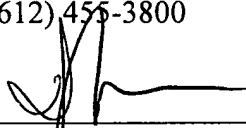
Respectfully submitted,



HAMRE, SCHUMANN, MUELLER &
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Dated: February 9, 2007

By: _____



Douglas P. Mueller
Reg. No. 30,300

DPM:rkw

FORM 1449*  INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 20049.0001USWO	Application Number: 10/552,887
	Applicant: PATELL	
	Filing Date: October 15, 2005	Group Art Unit: unknown

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	EP 0 356 061	February 1990	EPO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Van Camp et al., "Elevated Levels of Superoxide Dismutase Protect Transgenic Plants Against Ozone Damage" <i>BIO/TECHNOLOGY</i> Vol. 12, pp.165-168 February 12, 1994.
		Yu et al., "Waterlogging Influences Plant Growth and Activities of Superoxide Dismutases in Narrow-leafed Lupin and Transgenic Tobacco Plants" <i>Journal of Plant Physiology</i> pp. 431-438 1999.
		Rao et al., "Oxidative Stress Management-Targeting MnSOD to the Chloroplast" <i>American Society of Plant Biologists</i> Vol. 1999, pp.103 XP001208344
		Bowler et al., "Manganese Superoxide Dismutase Can Reduce Cellular Damage Medicated by Oxygen Radicals in Transgenic Plants" <i>The EMBO Journal</i> Vol. 10, no. 7, pp. 1723-1732 1991
		International Search Report for International Application No: PCT/IB02/05253 dated July 28, 2003

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PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	